

1 **MARK S. BAGULA [CSB No. 171141]**  
2 **DAVINA A. B. BLOOM [CSB No. 236850]**  
3 **DANIEL W. WATKINS [CSB No. 128849]**  
4 **THE WATKINS FIRM**  
5 **A Professional Corporation**  
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10 Attorneys for Plaintiff, DAVID J. CHAO

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13 **UNITED STATES DISTRICT COURT**  
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15 **SOUTHERN DISTRICT OF CALIFORNIA**

16 DAVID J. CHAO, an individual, ) **CASE NO.: 3:07-cv-02408 DMS LSP**

17 Plaintiff,

18 vs.

19 **CERTIFICATE OF SERVICE**

20 HEALTHSOUTH CORPORATION, a Delaware corporation; SHC SAN DIEGO, INC., a Georgia corporation; SHC MANAGEMENT COMPANY, a Georgia corporation; SURGICAL HEALTH CORPORATION, a Delaware corporation; HEALTHSOUTH SURGERY CENTERS-WEST, INC., a Delaware corporation; SURGICAL CARE AFFILIATES, LLC, a Delaware Limited Liability corporation; ARTHROSCOPIC & LASER SURGERY CENTER OF SAN DIEGO, L.P., and DOES 1 through 100, inclusively,

21 Defendants.

22 I, the undersigned, hereby certify:

23 1. I am a citizen of the United States, over the age of eighteen years, and not a party to or interested in the above-entitled cause. I am an employee of THE WATKINS FIRM, a professional corporation, and my business address is 4520 Executive Drive, Suite 105, San Diego, California 92121.

24 I am readily familiar with the business practice for collection and processing of correspondence.

25 2. On this date, I caused the following document(s) to be filed and served electronically via the Court's CM/ECF System except as otherwise stated in paragraph #3 below:

26 1. **PLAINTIFF DAVID J. CHAO'S NOTICE OF WITHDRAWAL OF MOTION TO**  
27 **REMAND ACTION TO STATE COURT; and**  
28

2. **CERTIFICATE OF SERVICE**

3. I caused the documents listed above to be served on the following party/parties by other means addressed to the last known address and delivered as follows:

**XX** Each envelope was placed for deposit in the United States Mail according to the normal business practices of collection and processing correspondence for mailing observed at this firm. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at 4520 Executive Drive, Suite 105, San Diego, California in the ordinary course of business.

☐ By Overnight Delivery. I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses below. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

☐ By Messenger Service. I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a professional messenger service for service.

☐ By fax transmission. Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed below. No error was reported by the fax machine that I used.

**XX** By e-mail or electronic transmission. Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ By Certified Mail or Registered Mail. By mailing to an address within California (*by first-class mail, postage prepaid, requiring a return receipt*) copies to the persons served below.

☐ By Personal service. I personally delivered the documents to the persons listed below. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not less than 18 years of age between the hours of eight in the morning and six in the evening.

**Monty A. McIntyre, Esq.**  
**Christopher L. Ludmer, Esq.**  
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on February 15, 2008, at San Diego, California.

  
**CASSIDY V. SITTER**